THE HON'BLE SRI JUSTICE B. PRAKASH RAO

WRIT PETITION No.24140 of 1998

Date: 05.07.2006

Between:

K. Mondaiah

… PETITIONER

AND

The Commissioner,
Prohibition & Excise,
Government of A.P., Nampally,
Hyderabad & others.

… RESPONDENTS

ORDER:

Heard both sides.

The petitioner, who is the owner of the vehicle which is alleged to be involved in the commission of offence, filed this writ petition, *inter alia*, seeking to assail the orders of the 2nd respondent in confiscating the said vehicle namely the Jeep and also confirming the same in appeal by the 1st respondent herein.

Though several contentions sought to be urged on merits, having regard to the nature of the case, I do not go in to the same.

It is submitted that having regard to the quantity of the liquor, which was involved in the offence, the offence is compoundable.

In view of the same, it would suffice in the interest of justice to permit the petitioner to approach the 2nd respondent for filing an application for compounding the offence and seek release of the vehicle.

Accordingly, the writ petition is disposed of permitting the petitioner to file an application within a period of four weeks from today and on such filing, the 2nd respondent shall disposed of the same, within a period of four weeks thereafter. It is needless to mention that if such application is not filed by the petitioner, the order of confiscation stands.

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B. PRAKASH RAO, J

Date: 05.07.2006
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